

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

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LESLIE TORGERSON

1:22-cv-1008

Plaintiff,

-vs-

ROBERTS COUNTY, SOUTH
DAKOTA, TYLER APPEL, in his
individual and official capacity;
ZACHARY ANGERHOFER, in his
individual and official capacity,
WESLEY BOWSHER, in his
individual and official capacity, ROSS
TORGERSON, and TERRY
TORGERSON

DEFENDANTS ROBERTS COUNTY,
TYLER APPEL, ZACHARY
ANGERHOFER, AND WESLEY
BOWSHER'S MOTION FOR
SUMMARY JUDGMENT

Defendants.

MOTION

Pursuant to Fed. R. Civ. P. 56(a), Defendants Roberts County, Tyler Appel, Zachary Angerhofer, and Wesley Bowsher respectfully move this Court to grant summary judgment in their favor. Defendants Tyler Appel, Zachary Angerhofer, and Wesley Bowsher, in their individual capacities, assert they are protected by the doctrine of qualified immunity and are entitled to judgment as a matter of law. Defendants Tyler Appel, Zachary Angerhofer, and Wesley Bowsher, in their official capacities, and Roberts County assert that they are entitled to judgment as a matter of law as to the plaintiff's municipal liability claims, to the extent they are even pled. Finally, the plaintiff's state law claims fail as a matter of law and should be dismissed.

This Motion is supported by the pleadings and files herein; the Affidavit of Ryan S. Vogel in Support of Defendants Roberts County, Tyler Appel, Zachary Angerhofer, and Wesley Bowsher's Motion for Summary Judgment; Defendants Roberts County, Tyler Appel, Zachary Angerhofer, and Wesley Bowsher's Statement of Undisputed Material Facts; and the Brief in Support of Defendants Roberts

County, Tyler Appel, Zachary Angerhofer, and Wesley Bowsher's Motion for Summary Judgment, which are served and filed herewith.

Dated this 20th day of November, 2023.

RICHARDSON, WYLY, WISE, SAUCK
& HIEB, LLP

By 

Attorneys for Defendants Roberts County,
Tyler Appel, Wesley Bowsher, and
Zachary Angerhofer

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